



**MINUTES
CITY COUNCIL REGULAR MEETING
May 18, 2021**

CALL TO ORDER

The meeting was called to order at 6:30 pm.

Due to the COVID-19 health pandemic, the Long Lake City Council attended the meeting telephonically pursuant to Minn. Stat. 13D.021.

Present: Mayor: Charlie Miner; Council: Jahn Dyvik, Mike Feldmann, Gina Joyce, and Deirdre Kvale

Staff Present: City Administrator: Scott Weske

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner explained that there was an Economic Development Authority meeting held just prior to the Council meeting to discuss Planning and Zoning considerations and review a concept plan for 1905 W Wayzata Boulevard, which is the former BP site.

For a road construction update, Mayor Miner advised that Highway 12 is now closed between County Road 6 and County Road 92, and the Tanager Bridge on County Road 15 had been reopened.

Memorial Day is coming up and there will be a ceremony at Nelson Lakeside Park beginning at 11:15 am. Mayor Miner encouraged people to be watching for more information on the event.

APPROVE AGENDA

A motion was made by Dyvik, seconded by Feldmann, to approve the agenda as presented. Ayes: all by roll call.

CONSENT AGENDA

- A. Approve Minutes of May 4, 2021 City Council Work Session
- B. Approve Minutes of May 4, 2021 City Council Meeting
- C. Approve Vendor Claims and Payroll

Council member Kvale asked about the item from City Attorney Thames's bill that states "review legal non-conforming use issue".

City Clerk Moeller clarified that the billing item referenced was for doing research on items related to the fire damaged 1138 Underhill Circle property, and gave a brief update of the situation at the property.

A motion was made by Feldmann, seconded by Miner, to approve the Consent Agenda, as presented. Ayes: all by roll call.

OPEN CORRESPONDENCE

Jane Davidson, 1020 Old Long Lake Road – Ms. Davidson provided an update to the Council potential regarding carp removal efforts in Long Lake by the Long Lake Waters Association. She gave an overview of the suggestion by Carp Solutions to use box netting during the summer months. She stated that they are hoping that there will be volunteers from Long Lake to help with the box netting.

Council member Dyvik asked if the Long Lake Waters Association would be giving up on winter harvesting by commercial fisherman because it didn't work this year.

Ms. Davidson explained that Carp Solutions conveyed that in their experience, the fish do not congregate together.

Council member Dyvik inquired about the threshold of the carp population that was sustainable for Long Lake.

Ms. Davidson stated that currently the population is multiple times over the sustainable amount, but did not recall the exact amount.

Council member Kvale questioned if Wolsfeld Lake was also over the ideal number of carp.

Ms. Davidson replied that she did not have the population number for Wolsfeld Lake but she was aware the answer is yes. Carp Solutions believes the most efficient way to address carp for Wolsfeld Lake would be to capture the fish as they migrate rather than using box netting, because the lake is quite a bit more difficult to get into than Long Lake.

Council member Joyce asked if removal of the carp will have a positive impact on water quality.

Ms. Davidson responded that carp are quite detrimental to water quality because they are bottom feeders similar to catfish, and they disturb the sediment layer that is at the bottom of the lake which releases nutrients into the lake and also decreases the native vegetation.

Council member Joyce mentioned that she would be interested in learning more about the work of the Long Lake Waters Association and asked Ms. Davidson to share information with her at a later date about meetings and other details.

Ms. Davidson noted that they had just sent out a newsletter with more information and added that they are also good at responding to e-mails. She stated that there is also more information available on their website as well.

BUSINESS ITEMS

Consider Special Event Permit Request for Wai Nani Surf and Paddle at Nelson Lakeside Park

City Clerk Moeller reported that Andrew Mullin, on behalf of Wai Nani Surf and Paddle and in partnership with Gear West, has applied for a Special Event Permit to provide kayak and paddleboard rental and instruction services in Nelson Lakeside Park. She indicated that they are proposing to operate Wednesdays through Fridays from 3:00 pm to 6:00 pm, and Saturdays and Sundays from 12:00 noon to 6:00 pm, beginning June 2, 2021 through September 6, 2021. She noted that Wai Nani has been providing this service at Wayzata Beach in partnership with the City of Wayzata for over 10 years. She stated that this would potentially be a great draw and opportunity

to offer a low impact recreational amenity to the park. Staff recommends approval of the requested permit, and Moeller reviewed details surrounding the recommended conditions of approval.

Council member Kvale commented that on the Water Patrol permit form, it has a specific limitation of liability and indemnifies the City. She stated that on the City application, there is a requirement to submit proof of liability insurance and asked if the City ever had them sign anything that they indemnified the City.

Moeller confirmed that it states right on the permit conditions letter, "Please be advised by acceptance of this permit, the permit holder, on behalf of any and all organizations and private persons, grants authority to operate under the permit, and agrees the indemnify and hold harmless the City of Long Lake from all claims arising from said event."

Council member Kvale questioned if there was ever a signature from the applicant signing off on the indemnity.

Moeller replied that the City does not require a signature, but the permit approval letter clearly states that if they accept the permit, they are agreeing to it.

Council member Kvale asked what City Attorney Thames says about that approach.

Moeller responded that City Attorney Thames had never raised any concerns over it.

Council member Kvale stated that she always likes to see that type of thing signed.

Moeller noted that separate from this permit request, the City could add some language for future event applications that would require a signature. She indicated that she can also check with City Attorney Thames to see if he felt that update would be warranted.

Council member Kvale inquired whether there would be ample parking with the proposed increase in use of the park.

Moeller explained that a number would be difficult to plan for because you never know how many people will use the park on a given day. The amenity is intended to serve the existing public that are at the park.

Council member Kvale asked if this activity has caused a traffic problem in Wayzata.

Andrew Mullin, Wai Nani, stated that they have been in operation for 11 years and conveyed that he has a lot of experience working with Hennepin Water Patrol and they are required to be listed on their insurance policy; both the City of Long Lake and Hennepin County would be named as insured and are on the general liability policy, renters' liability, and instructor liability; and he also carries an umbrella policy and worker's compensation. He indicated that he understood Council member Kvale's question related to the signature on the application, but wanted her to rest assured from an insurance perspective, the City would be on the policy as named insured. He explained that for use, he is suggesting a very light use of four stand up paddleboards (SUPs) and two kayaks, which would allow no more than six participants out in any one-hour period. He added that the idea is to offer a fun and safe amenity to Long Lake and clarified that he does not have any plans to expand with further equipment this coming season, but is open to it if the City is interested in him doing so. He noted that he views this as a pilot season to let himself and the City learn if this location makes sense.

Council member Kvale asked about signage for the rental activity.

Mr. Mullin explained that he had proposed a simple sandwich board and feather flag to only be used when the service is operational, and signage would be packed up and taken away every night.

Council member Feldmann asked if the only additional parking that would be needed would be for a truck and trailer for the equipment.

Mr. Mullin clarified that he does not park his truck/trailer and would just drop the equipment and go. He noted that he hires 14 high schoolers from Orono, Minnetonka, Wayzata, Benilde-St. Margaret's, a few college kids, and a manager that will be on-duty. The truck would drop the equipment, including the sandwich board and the feather flag, during the rental period. Staff would come separately and at the conclusion of the rental period, the truck would come back to retrieve all the equipment.

Moeller questioned how many staff members will be at the mobile operation site at one time.

Mr. Mullin replied that there will be one staff member, but at pick up and drop off times there would be an additional staff member who would be handling the equipment.

Council member Joyce asked if the intent was for people to get on and off the equipment from the sandy spot of the beach.

Mr. Mullin stated that he had intended to drop the equipment in either the grass or on the beach subject to where staff would like it to be located. Guests would walk up to check in, go through verification that they have signed their safety waiver, have some simple safety instruction, and then they would enter the water. He added that the only trailer present would be at the drop off and pick up points in the day. He noted that he had attempted to use his data from Wayzata to give Long Lake an idea of what the expected usage could be. He indicated that he would be happy to provide demographics to the City on who rented, how many, where they came from, and whatever information they would like to know.

Moeller pointed out that the plan is not necessarily to offer the full scope of what is currently being offered on Lake Minnetonka.

Mr. Mullin affirmed that Moeller's statement was correct and he is only proposing SUPs and kayaks on Long Lake right now.

A motion was made by Dyvik, seconded by Feldmann, to adopt Resolution No. 2021-22 approving issuance of Special Event Permit #S2021-04 for Wai Nani Surf & Paddle at Nelson Lakeside Park, providing kayak and paddleboard rental and instruction services on Wednesdays through Sundays, June 2 through September 6, 2021; and to authorize the Hennepin County Sheriff's Office Water Patrol Unit to permit the event. Ayes: all by roll call.

Accept Donation of Dog Waste Stations from the Long Lake Waters Association

Public Works Director Diercks reported that Jane Davidson had approached the City back in April to see if there was a need for installation of a few dog waste stations. He indicated that they worked together to look at various designs and are recommending the ones included in Council member meeting packets as a donation from the Long Lake Waters Association.

Mayor Miner asked if Public Works staff would take the responsibility of refilling the bags when the stations need it.

Diercks confirmed that Public Works staff would be responsible for refills as needed.

Council member Joyce questioned where the dog waste station would be located in Nelson Lakeside Park.

Diercks replied that staff is currently looking at a location somewhere near the sidewalk that goes south off of the parking lot adjacent to the beach.

Council member Dyvik suggested that they consider the location of the future stage before they place the waste stations.

A motion was made by Joyce, seconded by Feldmann, to accept the donation of two dog waste stations by the Long Lake Waters Association to the City of Long Lake for placement in Nelson Lakeside Park and in Hardin Park near the intersection of Wurzer Trail and the Luce Line Trail. Ayes: all by roll call.

Update on Fire Department Discussions

Mayor Miner indicated that the plan is to just keep "Update on Fire Department Discussions" as an ongoing agenda item to ensure that everyone is kept up to date. He explained that there were no major updates since the last meeting and there has been just one meeting since the last report. He stated the next meeting will be held the first Wednesday in June.

Mayor Miner reported that he had attended the Fire Department's practice burn this past Sunday morning on Watertown Road in Orono.

Fire Chief Van Eyll stated that he attended the Orono City Council meeting last week and the Fire Departments Capital Improvement Program (CIP) item for replacement of a utility vehicle was tabled pending more information from the City of Long Lake regarding the state of where everything is going. He noted that he will be going back to their upcoming work session to discuss the fleet and those types of things.

Council member Feldmann asked between now and when the contract with Orono is up, would there be any significant high dollar vehicles that will need to be purchased in that time period.

Fire Chief Van Eyll responded that there would not, but added that there is another command vehicle that was on the CIP to replace next year and another utility vehicle to be replaced in 2025. He mentioned that the new SCBA air packs will be put into service shortly and noted that SCBAs have end of life spans that are dictated by manufacturers and OSHA. Other items for replacement include turn out gear which is replaced on a fairly regular basis, but that is included as a line item in their operating budget.

Mayor Miner noted that Eagan recently moved away from paid on-call fire fighters to full-time fire fighters. Edina also ended their paid on-call program at the end of April.

Council member Dyvik stated that he had recently read an article about Maple Plain and asked if they had revamped their Fire Department.

Fire Chief Van Eyll confirmed that he had read the same article and it appears as though they had made some changes to their Fire Department a while ago but the City ordinances did not reflect those changes, so they were just updating the ordinances.

OTHER BUSINESS

In Person Council Meetings - Mayor Miner mentioned that returning to the Council Chambers for Council meetings should occur soon, but noted that part of the holdup at this point will be the repair of the window in the Chambers. He stated that his goal is for the Council to meet in person on June 1, 2021. Council member Joyce asked if there was an estimated timeline for the window replacement and repair to be completed. Diercks indicated he had not spoken with the contractor since the last Council meeting, so he was unsure of a timeline.

Berm Fence Repair - Council member Dyvik asked Public Works Director Diercks if there was a schedule from MnDOT on fixing the fence on the berm that is laying down in front of Gear West. Diercks responded that he does not have a schedule, though he had spoken with them and was told that they would take care of it. He added that he would reach out to them again and see if they have a schedule.

Hanging Flower Baskets - Council member Dyvik questioned whether the hanging flower baskets would be put up before Memorial Day. Diercks confirmed that the hanging baskets are scheduled to be delivered in time for placement on May 27, 2021.

Goose Control - Council member Dyvik reported that there are two families of geese that have taken up residence on Long Lake along the west shoreline near Nelson Lakeside Park. He noted that there were six goslings in one family and seven in the other; however, he was just watching them earlier and their numbers are decreasing so he questioned whether there may be a natural predator around that may be helping out. He expects there will need to be some clean up at Nelson Lakeside Park because of the geese.

Public Works Maintenance Worker I Hiring - Diercks informed Council that the posting for the open Public Works Maintenance Worker I position closed last Friday and they plan to conduct interviews early next week with four of the seven applicants.

Escrow Policy - City Clerk Moeller noted that Planning Consultant Rybak had provided her with a copy of an example of the consultant and developer escrow deposit policy from Mahtomedi. She stated that their model has an applicant deposit initial escrow funds as estimated and determined by City Administrator or an authorized agent rather than setting a flat escrow fee. She solicited some feedback from the Council on what they think of that concept. The Council discussed this issue and gave feedback to City Clerk Moeller that they generally supported the idea of investigating a different way to handle escrow deposits, to include setting a minimum escrow amount of \$1,500.

Underhill Circle Signage – Council member Joyce noted that there was some new signage on Underhill Circle and asked if that signage was by the City or the residents. Moeller explained that Underhill Circle is a private drive, so any signage that they install along the drive is at their expense and at their discretion.

Master Utility Agreement - City Administrator Weske stated that staff is continuing to work on the exhibits for the draft master sewer and water utility agreement. He noted that he had not heard any feedback from the Council thus far and encouraged Council to send any comments his way. He indicated that his goal is to have a final draft for Council review to send to Orono by the June 1, 2021 meeting.

LLFD Red Hot Run 5K - Fire Chief Van Eyll stated that the annual LLFD 5K is scheduled to happen on July 31, 2021.

Memorial Day Murph Challenge - Moeller reported that the Memorial Day Murph Challenge event at Nelson Lakeside Park is moving forward and noted that letters have gone out to the neighbors notifying them of the event.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:56 pm.

Respectfully submitted,

Scott Weske
City Administrator